

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Panchayat Raj & Rural Development Department – Sri D. Vinayaka Rao, Dy.EE, PR and now retired as EE – Certain irregularities in execution of poultry complexes at Talaprolu and construction of houses at Ramannagudem – Departmental proceedings initiated – Enquiry Officer appointed – Enquiry report received – Explanation submitted – Imposing a penalty of 2.5% cut in pension permanently against Sri D. Vinayaka Rao, EE (Retired) – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPEMENT (VIG.II) DEPARTMENT

G.O.Rt.No. 1913

Dated:16.10.2012

Read the following:-

1. Procgs.No.C2/54277/85, Dt.23.9.87 of the ENC, Panchayat Raj, Hyderabad.
2. Procgs.No.C2/54277/85, Dt.25.3.88 of the CE, Panchayat Raj, Hyderabad.
3. G.O.Rt.No.1069, Panchayat Raj & Rural Development Department, Dated:6.8.1998.
4. Orders dt.12.8.93 of the Hon'ble APAT, Hyderabad in RP No.3307/98.
5. From the ENC, PR, Hyd., Lr.No.DEE.II(1)/54277/85, Dated:06.01.04.
6. From the ENC, PR, Hyd., Lr.No.DEE.II(1)/54277/85, Dated:31.05.10.
7. Govt.Memo.No:27603/Vig.II.A2/2010-6,Dated:06.08.2011.
8. Explanation submitted by Sri D. Vinayaka Rao, Deputy Executive Engineer, Panchayat Raj, now retired as EE, Dated:28.11.2011.
9. Govt.Lr.No.27603/Vig.II/A2/2010-8, Dated: 23.07.2012.
10. From the Secretary, APPSC, Hyd., Lr.No.1564 /RT/1 /2012, Dated:22.08.2012

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Order:

In the reference 1st read above the Superintending Engineer, Panchayat Raj, Eluru was appointed as Enquiry Officer to enquire into the irregularities committed by Sri D Vinayaka Rao, Deputy Executive Engineer, formerly Deputy Executive Engineer, DRDA, Krishna District in execution of poultry complexes at Talaprolu and construction of houses at Ramannagudem. After examining the enquiry report of the enquiry officer, orders were issued vide reference 2nd read above by the Chief Engineer, Panchayat Raj, Hyderabad, awarding a punishment of stoppage of one increment without cumulative effect besides recovery of an amount of Rs.29,220.65 in (59) installments on Sri D. Vinayaka Rao, Deputy Executive Engineer (Panchayat Raj). Aggrieved by the said orders, Sri D. Vinayaka Rao, Deputy Executive Engineer has filed appeal petition before the Government and simultaneously filed a RP before the Andhra Pradesh Administrative Tribunal. The Government have examined and dismissed the appeal petition vide reference 3rd read above. The Andhra Pradesh Administrative Tribunal in its order dated 12.8.1993 reference 4th read above has stayed the recovery order issued vide reference 2nd read above, as the Chief Engineer, Panchayat Raj has no jurisdiction to order recovery of amount from the salary in so far the Deputy Executive Engineer are concerned and set aside the proceedings Dated 25.3.1988. The Tribunal has however left it open to the competent authority to take action as it may deem fit as per rules. Stating the above, the Engineer-in-Chief, Panchayat Raj has requested the Government to take further action to issue show-cause notice to Sri D. Vinayak Rao, Deputy Executive Engineer for imposing punishment besides recovery of loss caused to Government vide reference 5th read above, while furnishing copies of the proceedings of the Hon'ble Andhra Pradesh Administration Tribunal Orders. After following due procedure laid down in Andhra Pradesh Civil Services (Classification Control and

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Appeal) Rules, 1991, a show Cause notice has been issued to Sri D Vinayak Rao, Deputy Executive Engineer (Now Retd.) as to why a penalty of 2.5% cut in pension (equivalent to stoppage of one increment with cumulative effect) permanently should not be imposed on him under Rule 9 of Andhra Pradesh Revised pension Rule, 1980 vide reference 7th read above. Sri D. Vinayak Rao, Deputy Executive Engineer (Now Retired) has submitted his explanation vide reference 8th read above and requested the Government to do justice and drop further action and release all pensionary benefits by treating the suspension period as on duty as he has already remitted the amount of Rs.11,247/- though he is not responsible for payment.

2. After examination of the explanation submitted by the charged officer, the Government in the reference 9th read above, has requested the Secretary, Andhra Pradesh Public Service Commission, Hyderabad to obtain the concurrence of the Commission on the above proposed penalty of 2.5% cut in pension (equivalent to stoppage of one increment with cumulative effect) to and to communicate the same to Government. The Secretary, A.P. Public Service Commission, Hyderabad vide reference 10th read above informed that Commission has agreed with the proposal of the Government i.e. to impose a penalty of 2.5% cut in pension permanently (equivalent to stoppage of one increment with cumulative effect) against Sri D. Vinayaka Rao, Deputy Executive Engineer (Retd.)

3. The Government, after careful examination of the matter and after consultation with the Andhra Pradesh Public Service Commission, Hyderabad, have decided and hereby impose a penalty of 2.5% cut in pension permanently on Sri D. Vinayaka Rao, Deputy Executive Engineer (Retd.) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

4. The Engineer-In-Chief, Panchayat Raj, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

- 1) Sri D. Vinayaka Rao, EE, (Retired), Amalapuram
through the Engineer-In-Chief, Panchayat Raj, Hyderabad.
- 2) The Engineer-In-Chief, Panchayat Raj, Hyderabad.(With a request
to serve and furnish dated acknowledgement immediately}

Copy to:-

- 3) The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
- 4) The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
- 5) SF/SC

//FORWARDED BY :: ORDER//

SECTION OFFICER